

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CAROL PECAUT and DALE PECAUT,
husband and wife,
Plaintiffs,

vs.

HOLLAND AMERICA LINE, INC.;
HOLLAND AMERICA LINE – USA, INC.;
HAL NEDERLAND, N.V.; and HOLLAND
AMERICA LINE, N.V.,
Defendants

Case No.:

**COMPLAINT FOR
PERSONAL INJURIES
ABOARD A PASSENGER SHIP**

Comes now the plaintiffs, Carol Pecaut and Dale Pecaut, for cause of action against the defendants, to allege as follows:

1. This is an action by a ship's passenger against the owners/operators of the vessel M/S NIEUW AMSTERDAM for injuries sustained while said vessel was in navigable waters. Jurisdiction is vested in this Court pursuant to 28 U.S.C. §1333.
2. Plaintiff is a resident of Texas.
3. At all times material, the M/S NIEUW AMSTERDAM was owned by HAL NEDERLAND, N.V., a Netherlands Antilles Corporation, and chartered by

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4005 20th Avenue West, Suite 110
Seattle, Washington 98199
T (206) 729-5252 ♦ F (206) 729-1012

1 HOLLAND AMERICA LINE, N.V., also a Netherlands Antilles Corporation. On
2 information and belief, defendant HAL NEDERLAND, N.V.'s office is located in the
3 Netherlands Antilles and defendant HOLLAND AMERICA LINE, N.V. has a business
4 address in the Netherlands, with a base of operations in Seattle, Western District of
5 Washington.

6 4. At all times material, defendants HOLLAND AMERICA LINE, INC. and/or
7 HOLLAND AMERICA LINE-U.S.A., INC. were Washington corporations registered
8 with the Washington Secretary of State and serving as agents of HOLLAND
9 AMERICA LINE, N.V. and HAL NEDERLAND, N.V.

10 5. At all times material, defendants were doing business in Seattle, Western District of
11 Washington.

12 6. On October 11, 2015, the M/S NIEUW AMSTERDAM was located in the Adriatic
13 Sea. A rough sea threw the plaintiff against a toilet dispenser in the bathroom for
14 her stateroom and caused her a laceration over the eye and possible head injury.

15 7. Defendants and/or their agents, servants and employees negligently breached their
16 duty to exercise reasonable care under the circumstances in one or more of the
17 following respects: Failure to timely give a wave warning and failure to put
18 handrails in the bathroom.

19 8. At all times herein mentioned, plaintiff Carol Pecaut, exercised due care for her
20 own safety and to mitigate her damages.

21 9. As a direct and proximate result of the defendants' negligence, plaintiff Carol
22 Pecaut suffered laceration of her right eye and possible head injury.
23

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10. Dale Pecaut, plaintiff's husband, has suffered a loss of consortium stemming from his wife's injuries.

WHEREFORE, plaintiff pray judgment against the defendants as follows:

1. For general and special damages;
2. For prejudgment interest and cost of suit;
3. For such other and further relief as is met and just in the circumstances.

DATED this 4th day of February, 2016.

LAW OFFICE OF JOHN MERRIAM

By: s./J. Merriam
John Merriam, WSBA#12749
Attorney for Plaintiffs
4005 20th Avenue West, Suite 110
Seattle, Washington 98199
Telephone: (206) 729-5252
Fax: (206) 729-1012
Email: john@merriam-maritimelaw.com

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